

TANEY COUNTY PLANNING COMMISSION

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#### AGENDA TANEY COUNTY PLANNING COMMISSION PUBLIC HEARING MONDAY, MARCH 11, 2013, 6:00 P.M. COUNTY COMMISSION HEARING ROOM TANEY COUNTY COURTHOUSE

Call to Order: *Establishment of Quorum Explanation of Meeting Procedures Presentation of Exhibits* 

Public Hearing: Padgett Landscape Products Supply

Old and New Business: Tentative

Adjournment.



## TANEY COUNTY PLANNING COMMISSION

## **DIVISION III STAFF REPORT**

HEARING DATE:	March 11, 2013
CASE NUMBER:	2013-0001
APPLICANT:	John & Mary Padgett
REPRESENTATIVE:	Brian Letterman
PROJECT:	Padgett Landscape Products Supply
LOCATION:	The subject property is located at 772 Bee Creek Road, Branson, MO; Branson Township; Section 21, Township 23, Range 21.
REQUEST:	The applicants, John & Mary Padgett are requesting approval of a Division III Permit in order to allow Brian Letterman the ability to establish a landscape products supply business located at 772 Bee Creek Road, Branson, MO.

#### BACKGROUND and SITE HISTORY:

The approximately 1.69 acre site contains an existing 1,420 square foot, single-family residence which was constructed in 1955 and two (2) existing accessory buildings (per the Assessor's information). The Assessor's information indicates that the existing barn is approximately 468 square feet in size and the garage is approximately 336 square feet in size. The applicants have been utilizing the residence as a rental home.

The current application was approved for Concept on January 22, 2013.

#### **GENERAL DESCRIPTION:**

The applicants are seeking the approval of a Division III Permit in order to allow the representative to utilize the property located at 772 Bee Creek Road as a "load and go" landscape products supply. The representative has indicated that this proposed application will not involve an on-site office. Potential customers will contact Mr. Letterman and will then arrange on-site pick up of landscape products. The representative has indicated that the two existing accessory structures (barn and garage) will be utilized for the storage of landscape materials. The representative is proposing to sell landscape materials including: hardwood mulch, river rock and various

hardscape materials. Examples of hardscape materials would be such items as brick, tile, wood etc. The proposed hours of operation would be Monday through Sunday 9:00 AM to 4:00 PM. The representative has indicated that there will be no change to the entrance onto the property, existing water lines, structures or the existing grade of the land.

The adjoining property immediately to the north, south and east is residential. The property immediately to the west consists of Bee Creek Road and residential.

The existing residence is currently served by Public Water Supply District # 3 and Branson Municipal Sewer.

#### **REVIEW:**

The applicants are proposing to utilize the existing access off of Bee Creek Road.

The representative has indicated that any parking will be provided via the existing driveway and circle driveway area. He has further indicated that potential customers will contact him in order to meet on site with trucks / trailers, allowing for the immediate loading of landscape materials and departure of vehicles. Per the parking provisions of the Development Guidance Code an Outdoor Sales Use requires, "1 space for every 1000 square feet up to 10 spaces, with 1 additional space for each additional 500 square feet. Adequate loading area, as applicable." The staff is recommending the establishment of a parking area per the aforemented requirements.

Per the provisions of Appendix H, Section 6.1 the applicant will be required to either provide a twenty-five (25) foot wide vegetative buffer or "a privacy fence, wall landscaped earthern berm or other screening device found to be appropriate by the Planning Commission may be utilized in lieu of the required twenty-five (25) foot wide landscaped buffer." The staff is recommending the establishment of either a twenty-five foot wide buffer or privacy fence between the landscape products supply business and the adjacent residences.

The applicant has indicated that the existing residence will continue to be utilized as a rental home, while the property in question and the two (2) accessory buildings will be leased to the representative to be utilized for the landscape products supply business.

The project received a score of -5 on the Policy Checklist, out of a maximum possible score of 39. The relative policies receiving a negative score consist of off-site nuisances, emergency water supply, solid waste disposal service, use compatibility and traffic.

#### SUMMARY:

If the Taney County Planning Commission approves this request, the following requirements shall apply, unless revised by the Planning Commission:

- 1. Compliance with the provisions of the Taney County Development Guidance Code.
- 2. Compliance letters from the Central Taney County Fire Protection District, Public Water Supply District #2 and the Taney County Road and Bridge Department.
- 3. A twenty-five (25) foot wide vegetative buffer shall be maintained between the landscape products supply business and the adjoining residences to the north, south and east.
- 4. The outside storage area shall have security fencing in place.
- 5. A parking area shall be provided ensuring at least 1 space for every 1000 square feet of outdoor sales area up to 10 spaces, with 1 additional space for each additional 500 square feet of outdoor sales area.
- 6. The hours of operation shall be Monday through Sunday 9:00 AM to 4:00 PM.
- 7. This decision is subject to all existing easements.
- 8. This Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 days or the approval shall expire (Chapter II Item 6).

Padgett Landscape Products Supply Perm		it#:	13-		3-01
Division III Relative Policy Scoring Sheet: Western Taney County		Performance Value	Importance Factor	Score	Section Score
Water Quality					
SEWAGE DISPOSAL	n/a=				
centralized system		2			
on-site treatment system(s) with adequate safeguards to mitigate pollution		1			
septic system of adequate design and capacity		0	5	2	10
proposed system may not provide adequate capacity		-1			
proposed solution may cause surface and/or ground water pollution		-2			
Environmental Policies					
SOIL LIMITATIONS	n/a=	X			
no known limitations		0			
potential limitations but mitigation acceptable		-1	3		
mitigation inadequate		-2			
SLOPES	n/a=	X			
NOTE: if residential, mark "x" in box					
development on slope under 30%		0			
slope exceeds 30% but is engineered and certified		-1	4		
slope exceeds 30% and not engineered		-2			
WILDLIFE HABITAT AND FISHERIES	n/a=	X			
no impact on critical wildlife habitat or fisheries issues		0			
critical wildlife present but not threatened		-1	2		
potential impact on critical wildlife habitat or fisheries		-2			
AIR QUALITY	n/a=			_	
cannot cause impact		0			
could impact but appropriate abatement installed			2	0	0
could impact, no abatement or unknown impact	_	-2			
Land Use Compatibility					
OFF-SITE NUISANCES	n/a=				
no issues or nuisance(s) can be fully mitigated		0			
buffered and minimally mitigated		-1	5	-1	-5
cannot be mitigated					
Compatibility Factors					
USE COMPATIBILITY	n/a=				
no conflicts / isolated property		0			
transparent change / change not readily noticeable		-1 -2	4	-1	-4
impact readily apparent / out of place					

adgett Landscape Products Supply Perm		it#:	13		3-01
Division III Relative Policy Scoring Sheet: Western Taney County		Performance Value	Importance Factor	Score	Section Score
LOT COVERAGE	n/a=				
lot coverage compatible with surrounding areas		0			
lot coverage exceeds surrounding areas by less than 50%		-1	1	0	0
lot coverage exceeds surrounding areas by more than 50%		-2			
BUILDING BULK AND SCALE	n/a=	x			
bulk / scale less than or equivalent to surrounding areas		0			
bulk / scale differs from surrounding areas but not obtrusive		-1	3		
bulk / scale significantly different from surrounding areas / obtrusive		-2			
BUILDING MATERIALS	n/a=	X			
proposed materials equivalent to existing surrounding structures		0			
proposed materials similar and should blend with existing structures	-	-1	2		
materials differ from surrounding structures and would be noticeable		-2			
STRUCTURAL SCREENING OF ROOFTOP EQUIPMENT & VENTS	n/a=	x			
no rooftop equipment or vents		2			
blocked from view by structure design		1			
blocked from view using screening		0	1		
partially blocked from view		-1			
exposed / not blocked from view		-2			
STRUCTURAL SCREENING OF SOLID WASTE CONTAINERS	n/a=	X			
no on-site waste containers		2			
blocked from view by structure design		1			
blocked from view using screening		0	3		
partially blocked from view		-1			
exposed / not blocked from view		-2			
STRUCTURAL SCREENING OF OUTDOOR EQUIP, STORAGE, ETC.	n/a=	x			
no outdoor storage of equipment, materials, etc., or outdoor work areas		2			
blocked from view by structure design		1			
blocked from view using screening		0	3		
partially blocked from view		-1			
exposed / not blocked from view		-2			
LANDSCAPED BUFFERS RESIDENTIAL	n/a=	x			
approved landscaped buffer between homes and all streets / roads / highways		2			
approved landscaped buffer from major roads / highways only		1			
minimal landscaped buffer, but compensates with expanse of land		0	2		
no landscaped buffer between residences and local streets		-1			
no landscaped buffer from any road		-2			

adgett Landscape Products Supply Permi		it#:	13		3-01
Division III Relative Policy Scoring Sheet: Western Taney County		Performance Value	Importance Factor	Score	Section Score
LANDSCAPED BUFFERS - INDUSTRIAL	n/a=	X			
approved landscaped buffer from public roads		0			
minimal landscaped buffer, but compensates with expanse of land		-1	3		
no landscaped buffer from public roads		-2			
Local Economic Development					
RIGHT TO FARM	n/a=	X			
does not limit existing agricultural uses / does not cause nuisance, predation		0			
does not limit existing agricultural uses, but may result in minor nuisance		-1	3		
potential impact(s) on existing agricultural land		-2			
RIGHT TO OPERATE	n/a=	X			
no viable impact on existing industrial uses by residential development		0			
potential impact but can be mitigated		-1	3		
potential impact on existing industrial uses with no mitigation		-2			
DIVERSIFICATION	n/a=				
creates >=5 full-time, year-round jobs outside of recreation / resort sector		2			
creates full-time, year-round and seasonal jobs		1	5	0	0
creates seasonal jobs only		0			
Site Planning, Design, Occupancy					
RESIDENTIAL PRIVACY	n/a=	x			
privacy provided by structural design, or not applicable		2			
privacy provided by structural screening		1			
privacy provided by landscaped buffers		0	2		
privacy provided by open space		-1			
no acceptable or effective privacy buffering		-2			
MIXED-USE DEVELOPMENTS	n/a=	x			
uses / functions are compatible or not applicable		2			
uses / functions are integrated and separated based on compatibility		1			
uses / functions differ minimally and are not readily apparent		0	3		
uses / functions poorly integrated or separated		-1			
uses / functions mixed without regard to compatiblity factors		-2			
Commercial Development					
DEVELOPMENT PATTERNS	n/a=	x			
clustered development / sharing of parking, signs, ingress, egress, or not applicable		2			
some clustering and sharing patterns with good separation of facilities		1			
some clustering and sharing patterns with minimal separation of facilities		0	3		
clustered development with no appreciable sharing of facilities		-1			
unclustered development with no sharing or ability to share facilities		-2			

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Division III Relative Policy Scoring Sheet: Western Taney County		Performance Value	Importance Factor	Score	Section Score
DEVELOPMENT BUFFERING	n/a=	X			
approved and effectively designed landscaped buffers between structures and all re	2				
minimal landscaped buffering, but compensates with expanse of land	1				
minimal landscaped buffering		0	3		
no landscaped buffering, but utilizes expanse of land		-1			
no or inadequate buffering or separation by land		-2			
Services - Capacity and Access					
TRAFFIC	n/a=				
no impact or insignificant impact on current traffic flows		0			
traffic flow increases expected but manageable using existing roads and road acce	sses	-1	2	-1	-2
traffic flow increases exceed current road capacities		-2			
EMERGENCY SERVICES	n/a=	X			
structure size and/or access can be serviced by emergency equipment		0			
structure size and/or access may impede but not hinder serviceability		-1	5		
structure size and/or access could be problematic or non-serviceable		-2			
RIGHT-OF-WAY OF EXISTING ROADS					
greater than 50 ft. right-of-way		1			
50 ft. right-of-way		0	5	1	5
40 ft. right-of-way		-1	5	1	5
less than 40 ft. right-of-way		-2	1		
Internal Improvements					
WATER SYSTEM SERVICE	n/a=				
central water system meeting DNR requirements for capacity, storage, design, etc.		2			
community well / water system meeting DNR requirements		1			
private wells meeting DNR requirements		0	3	2	6
private wells not meeting any established standards		-1			
individual / private wells		-2			
EMERGENCY WATER SUPPLY	n/a=			-	
fire hydrant system throughout development with adequate pressure and flow		0			
fire hydrant system with limited coverage		-1	5	-2	-10
no fire hydrant system		-2			
PEDESTRIAN CIRCULATION INFRASTRUCTURE n/a=					
paved and dedicated walkways (no bicycles) provided throughout development		2			
paved walkways provided throughout development / maybe shared with bicycles					
designated walkways provided but unpaved			4		
no pedestrian walkways, but green space provided for pedestrian use		-1			
no designated pedestrian walkway areas		-2			

Padgett Landscape Products Supply Permit			13-		3-01
Division III Relative Policy Scoring Sheet: Western Taney County		Performance Value	Importance Factor	Score	Section Score
PEDESTRIAN SAFETY	n/a=	X			
separation of pedestrian walkways from roadways by landscape or structural buffer					
separation of pedestrian walkways from roadways by open land buffer		1	2		
pedestrian walkways abut roadways with no buffering / protection		0			
BICYCLE CIRCULATION	n/a=	x			
dedicated / separate bike-ways with signage, bike racks, trails		2			
bicycle lanes shared with pedestrian walkways but separated by markings / signs		1	1		
no designated bike-ways		0			
UNDERGROUND UTILITIES	n/a=				
all utilities are provided underground up to each building / structure		2		0	
all utilities traverse development underground but may be above ground from ease	ment	1	4		0
utilities above ground but / over designated easements		0			
utilities above ground and not within specific easements					
no specific management of utilities		-2			
Open-Space Density					
USABLE OPEN SPACE	n/a=	X			
residential developments (>25 units) include more than 25% open recreational spa	се	2			
residential developments (>25 units) offer >10% but <25% open recreational space	)	1			
recreational area provided, but highly limited and not provided as open space		0	2		
no designated recreational space provided, but open space available		-1			
no open recreational space provided		-2			
Solid Waste Disposal					
SOLID WASTE DISPOSAL SERVICE AVAILABILITY					
weekly service is available and documentation of availability provided		0			
weekly service reportedly available but not documented		-1	5	-1	-5
centralized, on-site trash collection receptacles available					
SOLID WASTE DISPOSAL SERVICE COMMITMENT n/a=					
restrictive covenants provide for weekly disposal for each occupied structure					
services available but not a requirement documented in covenants			5		
not applicable / no pick-up service provided					

Total Weighted Score= -5

Maximum Possible Score= 39

Actual Score as Percent of Maximum= -12.8%

Number of Negative Scores= 5

Negative Scores as % of All Applicable Scores= 41.7%

Date:

February 22, 2013

Scoring Performed by:

Bob Atchley / Bonita Kissee

## Project: Padgett Landscape Products Supply

### Permit#: 13-01

	Policies Receiving a Negative Score					
Importance Factor 5:	off-site nuisances emergency water supply waste disposal service					
Importance Factor <mark>4</mark> :	use compatibility					
Importance Factor 3:	none					
Importance Factor 2:	traffic					
Importance Factor 1:	none					
Scoring by:	Bob Atchley / Bonita Kissee					

Date: February 22, 2013

## Project: Padgett Landscape Products Supply

## Permit: 13-01

	Max. Possible	As Scored	%	Total Negat	ive Scores
Scoring	39	-5	-12.8%	5	41.7%
		Max.	As	Negative	Scores
		Possible	Scored	Number of	Percent
Importance Fac	tor 5	25	-5	3	50.0%
sewage disposal		10	10		
off-site nuisances		0	-5		
diversification		10	0		
emergency service	s				
right-of-way/roads		5	5		
emergency water	supply	0	-10		
waste disposal se	rvice	0	-5		
waste disposal con	nmitment				
Importance Fac	tor 4	8	-4	1	50.0%
slopes					
use compatibility		0	-4		
pedestrian circulati	on				
underground utilitie	es	8	0		
Importance Fac	tor 3	6	6		
soil limitations					
building bulk/scale					
waste containers s	creening				
outdoor equip stora	ige				
industrial buffer / se	creening				
right to farm					
right to operate					
mixed-use develop	ments				
development patter	rns				
development buffe	ing				
water system servi		6	6		
Importance Fac	tor 2	0	-2	1	50.0%
wildlife habitat and	fisheries				
air quality		0	0		
building materials					
residential buffer /	screening				
residential privacy					
traffic		0	-2		
pedestrian safety					
usable open space					
Importance Fac	tor 1				
lot coverage		0	0		
rooftop vents / equ	ipment				
bicycle circulation					

Scoring by:Bob Atchley / Bonita KisseeDate:February 22, 2013



# Padgett Landscape Products





Padgett Landscape Products Division III Permit 2013-0001 Taney County GIS - Beacon



Padgett Landscape Products Division III Permit 2013-0001 Pictometry – Ortho View





Padgett Landscape Products Division III Permit 2013-0001 Pictometry – North View



Padgett Landscape Products Division III Permit 2013-0001 Pictometry – South View



Padgett Landscape Products Division III Permit 2013-0001 Pictometry – East View



Padgett Landscape Products Division III Permit 2013-0001 Pictometry – West View

